In the High Court of Punjab and Haryana at Chandigarh.

Civil Writ Petition No.19654 of 2004.

Date of decision;30.8.2007.

Makhan Lal

...Petitioner.

Versus

Chief Canal Officer and others.

...Respondents.

...

Coram: Hon'ble Mr. Justice K. S. Garewal.

Hon'ble Mr. Justice S. N. Aggarwal.

...

Present: Mr. Dheeraj Narula Advocate for Mr. Sandeep Punchhi, Advocate for the petitioner.

Mr.Ashok Verma, Advocate for respondent Nos. 4 to 9 and 11.

...

Judgment.

S. N. Aggarwal, J.

The petitioner was getting water to his fields from outlet RD 15400/L. Later on, a scheme was published for installation of outlet RD 16400/L. The petitioner wanted his land to be included in the newly published outlet but his land was allowed to be irrigated by outlet RD 16400/L by the Divisional Canal Officer vide his order dated 22.9.2000. The appeal filed by the petitioner was dismissed by the Superintending Canal Officer vide order dated 27.5.2001. The Chief Canal Officer remanded the matter to the Superintending Canal Officer. The said officer

re-considered the same and up-held the order passed by the Divisional Canal Officer and the demand of the petitioner for shifting his land from outlet RD 15400/L to outlet RD 16400/L was rejected vide order dated 3.4.2002 (Annexure P-5). The further appeal filed by the petitioner was dismissed by the Chief Canal Officer vide order dated 25.11.2003 (Annexure P-6).

Hence, the writ petition.

Submissions have been considered.

Since the petitioner was already getting water from outlet RD 15400/L, there was no justification to transfer his land to outlet RD 16400/L No reasons have been given by the petitioner for the transfer of his land to outlet RD 16400/L. The orders passed by the canal authorities do not suffer from any illegality.

There is no merit in the writ petition and the same is dismissed.

(S. N. Aggarwal)
Judge

August 30,2007. (K. S. Garewal)
Jaggi Judge